



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/867,588	05/31/2001	Bill Kitchen	23952-0033	8098

29052 7590 03/20/2007
SUTHERLAND ASBILL & BRENNAN LLP
999 PEACHTREE STREET, N.E.
ATLANTA, GA 30309

EXAMINER

MERCHANT, SHAHID R

ART UNIT	PAPER NUMBER
----------	--------------

3694

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/20/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/867,588

Applicant(s)

KITCHEN ET AL.

Examiner

Shahid R. Merchant

Art Unit

3694

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED. (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 34-48 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 34-48 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 10/1/2001 and 11/26/2003.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Priority

1. Examiner has given consideration to applicant's parent application No. 09/034,561 filed on March 3, 1998. For examining purposes of this application, the effective filing date will be March 3, 1998.

Response to Amendment

2. Per Preliminary Amendment filed on May 31, 2001, claims 1-33 have been canceled. Claims 34-48 will be examined.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 34-48 rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The specification has no mention of transmitting

Art Unit: 3694

location identifiers of an agreement between a payer and biller. Further, the specification has no mention of first, second or third network stations.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 34-48 rejected under 35 U.S.C. 102(e) as being anticipated by Dent et al., U.S. Patent No. 6,128,603 (see attached PTO-892, Ref. A).

7. As per claim 34, Dent teaches a method for presenting billing information via a network, comprising;

transmitting, via a network, a bill including a location identifier of an agreement between a payer and a biller (see column 2, lines 66-67, column 3, line 1 and column 4, lines 40-67);

receiving, via the network, a request for the agreement (see column 7, lines 29-33 and Figure 4, item 76 "Details"); and

transmitting, via the network, the agreement in response to the received request (see column 7, lines 29-33 and Figure 4).

8. As per claim 35, Dent teaches the method of claim 34 as described above. Dent further teaches wherein the agreement includes terms and conditions upon which the bill is based (see column 7, lines 30-33).

9. As per claim 36, Dent teaches the method of claim 34 as described above. Dent further teaches wherein the location identifier of the agreement is a link, and further comprising:

activating the link to transmit the request for the agreement (see column 7, lines 18-21 and 38-41).

10. As per claim 37, Dent teaches the method of claim 34 as described above. Dent further teaches wherein the bill is one of a summary bill or a detailed bill (see Figure 4, item 78 and Figures 8 & 9, item 110).

11. As per claim 38, Dent teaches the method of claim 34 as described above. Dent further teaches wherein the bill is transmitted by a first network station and the agreement is transmitted by a second network station different than the first network station (see column 4, lines 40-67).

Art Unit: 3694

12. As per claim 39, Dent teaches a system for presenting billing information via a network, comprising:

a first network station configured to transmit, via a network, a bill including a location identifier of an agreement between a payer and a biller (see column 4, lines 40-67); and

a second network station configured to receive the transmitted bill, to transmit a request for the agreement, and to receive the requested agreement via the network (see column 4, lines 40-67).

13. As per claim 40, Dent teaches the system of claim 39 as described above. Dent further teaches wherein the first network station is further configured to receive the request and transmit the requested agreement to the second network station (see column 4, lines 40-67).

14. As per claim 41, Dent teaches the system of claim 39 as described above. Dent further teaches wherein:

the location identifier of the agreement is a link (see column 7, lines 18-21 and 38-41); and

the second network station is further configured to activate the link to transmit the request for the agreement (see column 7, lines 18-21).

Art Unit: 3694

15. As per claim 42, Dent teaches the system of claim 39 as described above. Dent further teaches wherein the agreement includes terms and conditions upon which the bill is based (see column 7, lines 18-21).

16. As per claim 43, Dent teaches the system of claim 39 as described above. Dent further teaches wherein the bill is one of a summary bill or a detailed bill (see Figure 4, item 78 and Figures 8 & 9, item 110).

17. As per claim 44, Dent teaches the system of claim 39 as described above. Dent further teaches comprising:

a third network station configured to receive the request and to transmit the requested agreement to the second network station (see column 4, lines 40-67).

18. As per claim 45, Dent teaches an article of manufacture for presenting billing information via a network, comprising:

a computer readable medium (see column 5, lines 17-22 and Figure 2, items 32,34,36); and

computer programming stored on the medium;

wherein the stored computer programming is configured to be readable from the computer readable medium by a computer to thereby cause the computer to operate so as to:

Art Unit: 3694

transmit, via a network, a bill including a location identifier of an agreement between a payer and a biller (see column 2, lines 66-67, column 3, line 1 and column 4, lines 40-67);

receive, via the network, a request for the agreement (see column 7, lines 29-33 and Figure 4, item 176); and

transmit, via the network, the requested agreement (see column 7, lines 29-33 and Figure 4, item 176).

19. As per claim 46, Dent teaches the article of manufacture of claim 45 as described above. Dent further teaches wherein the agreement includes terms and conditions upon which the bill is based (see column 7, lines 30-33).

20. As per claim 47, Dent teaches the article of manufacture of claim 45 as described above. Dent further teaches wherein the location identifier of the agreement is a link (see column 7, lines 18-21 and 38-41).

21. As per claim 48, Dent teaches the article of manufacture of claim 45 as described above. Dent further teaches wherein the bill is one of a summary bill or a detailed bill (see Figure 4, item 78 and Figures 8 & 9, item 110).

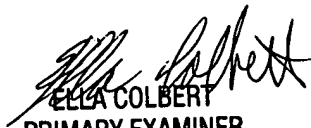
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shahid R. Merchant whose telephone number is 571-270-1360. The examiner can normally be reached on First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James P. Trammel can be reached on 571-272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SRM


ELLA COLBERT
PRIMARY EXAMINER